



# MONTHLY HIGHLIGHTS

NOAA  
NATIONAL MARINE FISHERIES SERVICE  
NORTHEAST REGION  
HABITAT CONSERVATION DIVISION

**DECEMBER 1999**

**GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930**

## **REVIEW OF COASTAL-CHANGE ANALYSIS PROGRAM (C-CAP)**

Staff participated in a review of the C-CAP program, which is sponsored by the NOAA Coastal Services Center in Charleston, SC. C-CAP is comprised of two components: benthic characterization and land-change analysis. Both of these components are based on remote-sensing data and field verification. The Coastal Services Center initiated the review to examine the current mission and effectiveness of the program and develop a strategic view. The Review Panel consisted of seven individuals representing NMFS, Florida Department of Environmental Protection, University of South Carolina, Atlantic States Marine Fisheries Commission, Columbia River Estuary Study, Texas Parks and Wildlife Department, and EarthData International. The results of the review will be used by the staff of the Coastal Services Center to plan the future of the program. (**Dianne Stephan 978/281-9397; Dianne.Steph@noaa.gov**)

## **MAINE PROGRAMMATIC GENERAL PERMIT REVIEW**

The US Army Corps of Engineers (ACOE) has begun its quinquennial review and update of the Programmatic General Permit (PGP) for Maine. NMFS staff, working with staff from US Fish and Wildlife Service, Environmental Protection Agency, Native American Nations, and the Maine Department of Environmental Protection, have engaged in several meetings and conference calls to adapt the PGP to meet emerging needs in Maine. It remains unresolved how the designation of Atlantic salmon Essential Fish Habitat (EFH) will be reflected in the PGP. Provisions such as those developed for the Massachusetts PGP are under consideration, however, the EFH designations are far broader in Maine (with twenty designated river systems) and the implications of a similar provision in Maine's PGP need to be fully explored. (**LT Dan Morris, 978/ 281-9237 or Daniel.Morris@noaa.gov**)

**JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732**

## **OENJ CHEROKEE CORPORATION**

In November 1999, Habitat Conservation Division (HCD) received a Notice of Intent to issue a

permit from the New York District ACOE for the construction of a ferry terminal and marina in Newark Bay in Elizabeth, New Jersey. HCD's elevation request stems from the loss of valuable intertidal shallows that will result from the ferry terminal and marina construction and the lack of any mitigation for these impacts. HCD's position is that mitigation is needed for all unavoidable impacts to the aquatic environment. NOAA has forwarded HCD's elevation request to the ACOE's Headquarters. The elevation request has the support of the Mid-Atlantic and New England Fisheries Management Councils, the U.S. Fish and Wildlife Service, and the New York-New Jersey Harbor Baykeeper. **(Peter Colosi, 978/ 281-9332; Stan Gorski, 732/ 872-3037 or Karen Greene, 732/ 872-3023)**

## **HACKENSACK MEADOWLANDS SPECIAL AREA MANAGEMENT PLAN (SAMP)**

The SAMP Environmental Impact Statement (EIS) Subcommittee continues to meet on a weekly basis to complete the final EIS for the SAMP. Recent developments include a proposal to include the Sports and Exposition Authority (SEA) in the SAMP and the revisions to HMDC's needs assessment to include the development desired by the SEA. Also under discussion is the programmatic out-of-district alternatives analysis and its application to individual permit reviews. HCD staff continues to coordinate with NOAA's National Ocean Service on this project, and is in the process of reviewing the revised needs assessment, the environmental improvement program, and responses to comments. **(Karen Greene, 732/ 872-3023 or Stan Gorski, 732/ 872-3037)**

## **DELAWARE RIVER PORT AUTHORITY**

The Delaware River Port Authority has modified the design for an aerial tram over the Delaware River from Philadelphia, Philadelphia County, PA to Camden, Camden County, NJ. The new design supersedes the project design described in public notice 5-955 dated March 22, 1999, and relocates the Philadelphia terminal. The Philadelphia terminal would now be located above the high tide line and would reduce the fill of the Delaware River open water habitat by 54,375 square feet. The New Jersey fender system, which would protect the in-water towers on the New Jersey side, would remain the same and would fill approximately 4,000 square feet of the Delaware River for their construction. Because the new design would minimize impacts, we will not object to permit issuance. **(Anita Riportella, 732/ 872-3116)**

**MILFORD, CT OFFICE, 212 ROGERS AVENUE, MILFORD, CT 06460**

## **GUIDANCE AND POLICY DOCUMENT REVIEW**

At the request of the Office of Habitat Conservation in Silver Spring, Mike Ludwig of the Northeast Regional Office and Alice Stratton of the National Ocean Service/Ocean and Coastal Resource Management reviewed and edited the draft Policy/Guidance documents titled "National Success Criteria for Restoration Projects." These documents outline the steps necessary to create and subsequently evaluate the success of restoration projects in a wide variety of coastal habitats. In particular, the documents identify key habitat characteristics that should be monitored in a wide variety of situations and conditions. When completed, the document package will form an operational manual that can be applied as a tool for assessing (1) initial site conditions, (2)

methods to modify and/or enhance the effectiveness of habitat restoration activities under many of the conditions and situations found at potential restoration sites, and (3) provide some metrics for determining mid-course and ultimate success. The initial documents are the introductory portions of the overall effort. The Guidance has been long awaited by people in all aspects of the damage assessment and restoration business. Primary contact should be directed to **Russ Bellmer in the Office of Habitat Restoration at 301/ 713-0174. (Mike Ludwig and Alice Stratton, 203/ 579-7004; Michael.Ludwig@noaa.gov, Alice.Stratton@noaa.gov)**

### **FERC REQUESTS ENVIRONMENTAL INFORMATION**

On December 17, 1999, the Federal Energy Regulatory Commission (FERC) submitted a request for Habitat Conservation staff to provide environmental information for the Haverstraw Bay reach of the Hudson River. The request was made in conjunction with the FERC's review of the Millennium Pipeline Project. Staff will prepare a response to this request in January 2000. **(Diane Rusanowsky at 203/ 579-7004; Diane.Rusanowsky@noaa.gov)**

### **ACOE PERMITS CONTROVERSIAL NEW YORK DREDGING PROJECTS**

Recent staff time has been dominated by two dredging projects proposed in New York waters. Both proposals included dredged material disposal at the Historic Area Remediation Site (HARS). The first project was a proposal by the Port Authority of New York and New Jersey to dredge at the Brooklyn Marine Terminal (old Brooklyn Navy Yard). The applicants were authorized to dredge approximately 215,000 [K] cubic meters [ $\text{m}^3$ ] (280K cubic yards [ $\text{yds}^3$ ]) of silty material. Work had to be split into two phases since the window of maximum protection for overwintering juvenile fish and pre-spawn adults precluded project completion before the onset of winter conditions. The initial and navigation access portion was restricted with a window closure of December 15, 1999. The second phase is slated to occur during the mid-spring at the conclusion of finfish overwintering and after winter spawned species have progressed beyond early life stage growth. In the second project, Castle-Astoria Terminals, Inc. sought a permit to dredge approximately 62 K  $\text{m}^3$  (80K  $\text{yds}^3$ ) of shoal material from the mouth of Steinway Creek off the East River. Although physical and biological testing of sediments from both projects revealed them to be suitable for unrestricted open water disposal at the HARS, environmental groups have expressed dismay and are pursuing legal and political resolutions. Both projects were afforded an extensive EFH Consultation as required by the Magnuson-Stevens Fishery Conservation and Management Act of 1996 (P.L. 104-267). The Consultations afforded NMFS the opportunity to apply Conservation Recommendations on both projects. The New York District is still evolving their EFH Assessment documentation capabilities. However, through close coordination we have taken a major step toward institutionalizing the procedures. **(Diane Rusanowsky or Mike Ludwig, 203/ 579-7004; Diane.Rusanowsky@noaa.gov, Michael.Ludwig@noaa.gov)**

### **UPDATE FOR ATHENS GENERATING PROPOSAL**

Staff prepared comments that will be included in the ACOE Public Hearing for the subject application, which describes a proposal to construct and operate a 1,080 MW combined cycle combustion turbine generating plant in Greene County, New York. While we do not conceptually oppose construction of such a facility, we have noted for the record that certain design modifications or operational procedures should be incorporated to further reduce impacts to aquatic resources. Sentiments expressed at the Public Hearing indicate that the community is

strongly divided as to whether this project should be authorized and the ACOE's interest review promises to be a complicated one. HCD staff opted to retain full agency options afforded under our 404(q) MOA with the ACOE, so our participation in the federal project review will continue. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov)**